

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FREDERICK J. GREDE , as Chapter 11)
Trustee for Sentinel Management Group, Inc.,)
) Case No. 08 C 2582
Plaintiff,)
v.)
) Honorable James B. Zagel
THE BANK OF NEW YORK and THE BANK)
OF NEW YORK MELLON CORP. ,) (On withdrawal of reference from the
) Hon. John H. Squires, Bankr. Adv. Pro.
Defendants.) No. 08-127)

TRUSTEE'S MOTION TO REASSIGN

Frederick J. Grede, chapter 11 bankruptcy trustee (the “Trustee”) for Sentinel Management Group, Inc. (“Sentinel” or the “Debtor”), hereby files this Motion to Reassign. In support of that motion, the Trustee states as follows:

1. On March 3, 2008, the Trustee filed an adversary proceeding against The Bank of New York and The Bank of New York Mellon Corp. (collectively, “BONY”) in the Bankruptcy Court (Bankr. Adv. Pro. 08-127).
2. BONY filed a motion to dismiss, which the Bankruptcy Court denied on June 10, 2008.
3. At the same time it filed its motion to dismiss, BONY filed a motion to withdraw the reference of the adversary proceeding to the Bankruptcy Court, which was assigned to this Court (Case No. 08 C 2582).
4. On June 20, 2008, this Court granted BONY’s motion to withdraw the reference.
5. Several hours later on June 20, 2008, BONY filed a motion for leave to appeal certain portions of the Bankruptcy Court’s denial of its motion to dismiss. BONY filed its motion for leave to appeal in the Bankruptcy Court, even though the reference to the Bankruptcy

Court had already been withdrawn. The Trustee filed his response to that motion in this Court on June 30, 2008.

6. On July 2, 2008, the Bankruptcy Court transmitted the record on appeal to the District Court, and BONY's motion for leave to appeal was assigned by lot to Judge Darrah (Case No. 08 C 3771).

7. Case No. 08 C 3771 is the exact same case that is already pending before this Court. Because this Court withdrew the reference of the adversary proceeding before BONY filed its motion for leave to appeal, any consideration of or proceedings on BONY's motion for leave to appeal should occur in this Court and not before Judge Darrah.

WHEREFORE, the Trustee respectfully requests that Case No. 08 C 3771 be reassigned to this Court and that any consideration of or proceedings on BONY's motion for leave to appeal occur as part of Case No. 08 C 2582, which is already pending before this Court.

Dated: July 2, 2008

Respectfully submitted,

FREDERICK J. GREDE, not individually
but as Chapter 11 Trustee of Sentinel
Management Group, Inc.

By: s/ Chris C. Gair
One of his attorneys

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